

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF MISSOURI  
ST. JOSEPH DIVISION**

BOILERMAKER-BLACKSMITH )  
NATIONAL PENSION TRUST, et al., )  
 )  
Plaintiffs, )  
 )  
v. )  
 )  
GENERAL ELECTRIC COMPANY, )  
 )  
Defendant. )  
 )  
Case No. 5:24-CV-06004-BCW

## **ORDER**

Before the Court is the parties' Joint Motion to Consolidate. No. 5:23-CV-06162-BCW, Doc. #18. The Court, being duly advised of the premises, grants said motion.

On December 11, 2023, Plaintiff General Electric Company filed a Complaint to Confirm and Enforce Arbitration Award against Defendant Boilermaker-Blacksmith National Pension Trust. (Doc. #1). On February 13, 2024, Defendant filed an Answer, and the Court entered its Order Setting Deadlines for Filing of Joint Proposed Scheduling Order and for Rule 26(f) Conference. (Doc. #13). This Order set the initial scheduling conference in the above-captioned action for April 16, 2024 at 11:30 a.m.

On January 10, 2024, Plaintiffs Boilermaker-Blacksmith National Pension Trust and John T. Fultz as a fiduciary filed a Complaint to Vacate Arbitration Award against Defendant General

Electric Company. (Doc. #1). On February 22, 2024, Defendant filed an Answer, and the Court entered its Order Setting Deadlines for Filing of Joint Proposed Scheduling Order and for Rule 26(f) Conference. (Doc. #12), also setting the initial scheduling conference for April 16, 2024.

On March 5, 2024, the parties in these two cases, 5:23-CV-06162-BCW and 5:24-CV-06004-BCW, filed the instant Joint Motion to Consolidate. (Doc. #18). The parties assert consolidation is appropriate because these two cases involve the same issues of law and fact: “[e]ach [case] is an appeal from the same Arbitration Award granting summary judgment to GE on withdrawal liability assessments made by the Fund under ERISA. In Case No. 5:23-cv-06162, GE seeks to have the Court approve and enforce the Award; in Case No. 5:24-cv-06004, the Fund seeks to have the Court vacate it.” (Doc. #18 at 1-2).

Consistent with the parties’ agreement, and because interests of efficiency, judicial economy, and conservation of resources favor consolidation, it is hereby

ORDERED the parties’ Joint Motion to Consolidate (Doc. #18) is GRANTED. Subsequently filed Case No. 5:24-CV-06004-BCW, Boilermaker-Blacksmith National Pension Trust, et al. v. General Electric Company is CONSOLIDATED with first filed Case No. 5:23-CV-06162-BCW, General Electric Company v. Boilermaker-Blacksmith National Pension Trust. It is further

ORDERED the Rule 16 Notice issued in Case No. 5:24-CV-6004-BCW is VACATED. The Court will set a consolidated litigation schedule during the initial pretrial conference scheduled in Case No. 5:23-CV-06162-BCW on April 16, 2024 at 11:30 a.m.

IT IS SO ORDERED.

DATED: March 25, 2024

/s/ Brian C. Wimes

JUDGE BRIAN C. WIMES

UNITED STATES DISTRICT COURT